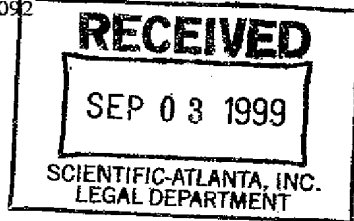


# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: HUBERT J. BARNHARDT III  
SCIENTIFIC-ATLANTA, INC.  
INTELLECTUAL PROPERTY DEPARTMENT  
ONE TECHNOLOGY PARKWAY SOUTH  
NORCROSS, GA 30092



## PCT

### NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing  
(day/month/year)

**30 AUG 1999**

Applicant's or agent's file reference

F-3365-PC

#### IMPORTANT NOTIFICATION

International application No.

PCT/US98/16145

International filing date (day/month/year)

31 JULY 1998

Priority Date (day/month/year)

01 AUGUST 1997

Applicant

SCIENTIFIC-ATLANTA, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US

Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

GILBERTO BARRON JR.

Telephone No. (703) 305-1830

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference F-3365-PC	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US98/16145	International filing date ( <i>day/month/year</i> ) 31 JULY 1998	Priority date ( <i>day/month/year</i> ) 01 AUGUST 1997
International Patent Classification (IPC) or national classification and IPC IPC(6): H04N 7/167 and US Cl.: 380/20		
Applicant SCIENTIFIC-ATLANTA, INC.		

1.	This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>4</u> sheets.  <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  These annexes consist of a total of <u>0</u> sheets.
3.	This report contains indications relating to the following items: <ul style="list-style-type: none"> <li>I <input checked="" type="checkbox"/> Basis of the report</li> <li>II <input type="checkbox"/> Priority</li> <li>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step or industrial applicability</li> <li>IV <input type="checkbox"/> Lack of unity of invention</li> <li>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li>VI <input checked="" type="checkbox"/> Certain documents cited</li> <li>VII <input type="checkbox"/> Certain defects in the international application</li> <li>VIII <input type="checkbox"/> Certain observations on the international application</li> </ul>

Date of submission of the demand  23 FEBRUARY 1999	Date of completion of this report  08 JUNE 1999
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231  Facsimile No. (703) 305-3230	Authorized officer  GILBERTO BARRÓN <i>James R. Matthews</i>  Telephone No. (703) 305-1830

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/16145

## 1. Basis of the report

1. This report has been drawn on the basis of *(Substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments):*

- ☒ the international application as originally filed.
- ☒ the description, pages 1-78 , as originally filed.  
pages NONE , filed with the demand.  
pages NONE , filed with the letter of \_\_\_\_\_.  
pages \_\_\_\_\_ , filed with the letter of \_\_\_\_\_.
- ☒ the claims, Nos. 1-52 , as originally filed.  
Nos. NONE , as amended under Article 19.  
Nos. NONE , filed with the demand.  
Nos. NONE , filed with the letter of \_\_\_\_\_.  
Nos. \_\_\_\_\_ , filed with the letter of \_\_\_\_\_.
- ☒ the drawings, sheets/fig 1-21 , as originally filed.  
sheets/fig NONE , filed with the demand.  
sheets/fig NONE , filed with the letter of \_\_\_\_\_.  
sheets/fig \_\_\_\_\_ , filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE .
- ☒ the claims, Nos. NONE .
- ☒ the drawings, sheets/fig NONE .

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the ~~Supplemental Box~~ Additional observations below (Rule 70.2(c)).

4. Additional observations, if necessary:

NONE

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/16145

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. STATEMENT**

Novelty (N)	Claims <u>1-52</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-52</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-52</u>	YES
	Claims <u>NONE</u>	NO

**2. CITATIONS AND EXPLANATIONS**

Claims 1-52 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest a secure element comprising a non-volatile memory wherein is stored a public key -private key pair for the receiver and a public key for the entity; and a processing apparatus coupled to the non-volatile memory, the processing apparatus including apparatus for decrypting and authenticating messages having an encrypted content.

## ----- NEW CITATIONS -----

US 5,400,401 A (WASILEWSKI et al) 21 MARCH 1995, see column 11, line 35 through column 12, line 31.

US 5,341,425 A (WASILEWSKI et al) 23 AUGUST 1994, see column 9, lines 30-65.

US 5,592,552 A (FIAT) 07 JANUARY 1997, see column 1, lines 38-67.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/16145

**VI. Certain documents cited****1. Certain published documents (Rule 70.10)**

<u>Application No. Patent No.</u>	<u>Publication Date (day/month/year)</u>	<u>Filing Date (day/month/year)</u>	<u>Priority date (valid claim) (day/month/year)</u>
US. A, 5,787,172	28 JULY 1998	24 FEB 1994	NONE

**2. Non-written disclosures (Rule 70.9)**Kind of non-written disclosureDate of non-written disclosure  
(day/month/year)Date of written disclosure  
referring to non-written disclosure  
(day/month/year)